



Memorandum

To: Rick Sun, Los Angeles County Department of Public Works

From: Jennifer Jones, CDM Smith

Date: June 8, 2015

Subject: Final Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project

Introduction

This memorandum summarizes the findings of biological monitoring on June 8, 2015. Monitoring is being conducted on a daily basis through completion of construction activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Jennifer Jones, CDM Smith biologist on June 8, 2015, beginning at 7:15 am and ending at 4:00 p.m. During the monitoring, the biologist observed herbaceous vegetation removal by hand as it was conducted in the project area. The biologist also observed the completion of hand removal of the old chain-link fence on the west bank of the Basin. Daily activities consisted of removing tall (> 24") vegetation by shovel along the southeast channel and south fence. Plants along the shoreline at the toe of slope were left standing to provide a buffer. The old chain-link fence on the west bank was removed by hand using wire-cutters. A crew of two workers conducted these activities throughout the day.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:15 am. The biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey. The Inspector of Record (inspector) arrived. The biologist spoke with the inspector about the construction work.

7:30 am. The biologist began observing the Basin from the west parking lot. One juvenile black-crowned night-heron and a snowy egret were observed on the south shore. Two house finches were foraging in the grape vine on the western fence. Two gadwall were observed in the center of the

Basin. A northern rough-winged swallow foraged above the mudflat area on the north shore of the Basin.

7:50 am. The biologist entered the site and walked to the north shore to observe the killdeer nest that was documented during monitoring the previous week. Three mallards were observed in the water near the west tide gate.

8:00 am. The biologist observed an adult killdeer in the mudflat area near the nest. Four eggs were observed; one egg was a few feet away from the nest, apparently abandoned as reported previously.

8:05 am. The biologist walked back to the parking lot to speak with the construction contractor superintendent (superintendent) who had arrived at the site. His crew includes two workers, the same persons who had worked at the site the previous week. The superintendent indicated that the day's activities would be a continuation of previous work: removing vegetation >24 inches and removing the old chain link fence along the west side of the site. He explained that temporary power poles will be installed at the site soon to provide electricity, and that someone would be there to mark the locations today.

8:15 am. The biologist conducted Bio-awareness Training with the Contractor crew. The Contractor crew signed the sign-in sheet indicating they understood and will follow BMPs and wildlife protection measures. The biologist explained that the killdeer nest was still active and that no one should enter the nest buffer areas, which are clearly flagged at distances of 300-feet. The crew began removing the old chain link fence at the western end of the site.

8:30 am. The biologist conducted an initial biological survey of the site. The water level in the Basin was low and a large portion of the water was covered with algae. One great egret, three snowy egrets, four mallards, and four gadwall were foraging in the Basin. Two American crows and an Anna's hummingbird were present in the pines near the tide gate.

As the biologist walked along the south shore, two mourning doves were flushed. They flew to the north side of the Basin. Two American crows and several other mourning doves were observed foraging along the southeast channel. A pair of mallards were also foraging along the south shore near the channel, along with an adult killdeer. A northern rough-winged swallow was flying over the north shore. Several rock pigeons were observed sitting on the top of the apartment complex across Admiralty Way.

As the biologist approached the east end of the Basin, an adult black-crowned night-heron flew away from the east tide gate and landed at the west end of the channel. In the trees along the bike path, several house finches and a dark-eyed junco were heard singing. Several mourning doves and a black phoebe were foraging on the north shore. Two bushtits flew in from the trees across the bike path and began foraging on weeds on the north shore of the Basin. Several house finches flew over to join them.

9:00 am. An American crow flew to the south shore of the Basin with what appeared to be a mouse in its beak and began eating it. Another crow was nearby.

9:05 am. A great-blue heron flew in and landed near the adult black-crowned night-heron that was foraging in the Basin. A northern mockingbird was heard singing from a residential yard across the bike path. A song sparrow was also heard in the same vicinity.

9:10 am. A juvenile black-crowned night-heron flushed from the north drain when the biologist approached. Several house finches were observed foraging on the eastern peninsula.

9:20 am. The biologist entered the buffer area around the killdeer nest, approaching from the east. An adult killdeer was observed walking on the mudflat near the nest.

9:35 am. Two northern rough-winged swallows were foraging above the mudflat. A European starling was perched on the utility pole and a mourning dove was perched on the wire above the mudflat. The biologist observed that the tide was beginning to come in to the Basin from the west tide gate. The two-person crew continued removing the old chain link fence on the western end.

9:50 am. Mechanical noise, not project-related, that sounded like a metal saw was heard coming from the apartment building across Admiralty Way from the tide gate.

9:55 am. The biologist observed the killdeer nest while standing on the south shore, looking across the Basin. An adult killdeer was observed sitting on the eggs.

10:00 am. Workers took a break. An adult black-crowned night-heron flew out of the pine near the tide gate and landed near the southeast channel. The biologist observed small mammal burrows along the south shore. No mammals themselves were seen.

10:10 am. Two snowy egrets flew into the Basin from the south and landed near the east end. A great egret and two American crows were standing on the western shore in the mudflat area near the northwest corner. Several honeybees and bumblebees were noted foraging in the sea lavender on the south shore.

10:15 am. The workers resumed manual removal of the old chain-link fence on the western bank. A snowy egret flew to the western tide gate and began foraging there, not disturbed by the work nearby. Two northern rough-winged swallows foraged over the Basin. House finches were heard calling from across Washington Boulevard.

10:45 am. A worker from Power Plus arrived in the parking lot.

10:50 am. A double-crested cormorant flew in from the west, landed in the Basin and began foraging. The great egret continued foraging along the northwest shore.

11:00 am. The biologist walked to the west gate and spoke with a worker from Power Plus. He requested information about accessing the northeastern portion of the site where several temporary power poles are to be installed. The biologist drove with him to the pump station and unlocked the gate. The worker began marking locations with spray paint along the north fence line.

11:15 am. Workers completed removing the old chain link fence on the west end. They walked to the east end and began removing vegetation along the south shore with shovels. A swallowtail butterfly and several dragonflies were observed along the east channel. No birds were in the vicinity.

11:45 am. The worker from Power Plus completed marking 12 locations where power poles will be installed along the north fence line. The furthest west will be located just west of the north drainage gate, outside of the killdeer nest buffer area. The worker left the area to speak with the superintendent in the west parking lot.

Two cabbage white butterflies foraged in the sea lavender on the north shore. A black phoebe and an Anna's hummingbird were also foraging in the vicinity. A great blue heron was standing near the end of the western peninsula.

12:00 pm. Workers took a lunch break.

12:20 pm. The worker with Power Plus completed marking the locations where temporary power poles will be installed just outside of the perimeter fence along the western side.

12:50 pm. The biologist observed the killdeer nest from the south shore, across the Basin. An adult was sitting on the nest. One mallard and a great egret were foraging in the middle of the Basin.

1:00 pm. Two workers walked to the east end to resume vegetation removal using shovels. A snowy egret was foraging near the west end of the eastern channel. A swallowtail butterfly and one monarch were observed flying around the eastern end of the site.

1:10 pm. A black phoebe flew over and began foraging on the south shore. Several dragonflies and bees were observed foraging in the vegetation along the eastern channel. A western gull flew over the Basin headed east. Several house sparrows were heard calling from across the bike path.

1:35 pm. Two mourning doves flew in to forage on the south shore. A crow was also foraging nearby, along with the black phoebe.

2:30 pm. Three crows began calling from the eucalyptus trees across the bike path. No nesting behavior was observed. Workers continued to remove vegetation near the east gate.

3:10 pm. Workers completed tall vegetation removal at the east gate and walked along the north shore, removing vegetation. Most of the tall (>24 inches) vegetation has now been removed from the Basin, except for the vegetation along the perimeter of the water.

3:20 pm. Four gadwall, three mallards, and a snowy egret foraged in center of Basin. A great blue heron stood on the eastern peninsula, and a crow was nearby.

3:30 pm. The biologist observed the killdeer nest from the east, entering the buffer area briefly. An adult killdeer was sitting on the nest.

3:45 pm. Crew stopped work and began walking back to the west parking lot. They walked back along the south shore, not entering the killdeer nest buffer area.

3:50 pm. The biologist spoke to the superintendent in the parking lot. The superintendent stated that they would begin laying out fiber rolls around the site perimeter, along the chain link fence in accordance with the approved Stormwater Pollution Prevention Plan (SWPPP), tomorrow.

4:00 pm. All work stopped and the biologist left the site.

Weather conditions were mostly cloudy in the morning and mostly sunny in the afternoon with temperatures in the upper 60s (°F).

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1.

One monarch was observed along with many other butterflies and dragonflies were observed.

The California least tern that has been reported previously was not observed during the day's monitoring. **If the tern had approached work activities, all work would be stopped. Consistent with CDFW guidance from Betty Courtney on June 2, 2015 (personal communication via email to CDM Smith), "...everyone just needs to avoid the least tern so there is no direct mortality or capture, as defined by the code."**

The killdeer nest was the only active bird nest observed.

Table 1 provides a list of bird species observed during biological monitoring on June 8, 2015.

Table 1. Bird Species Observed during Biological Monitoring on June 8, 2015		
Common Name	Scientific Name	Comments
Gadwall	<i>Anas strepera</i>	4 individuals resting/foraging throughout Basin
Mallard	<i>Anas platyrhynchos</i>	6 individuals resting/foraging throughout Basin; several flyovers
Great Blue Heron	<i>Ardea herodias</i>	1 individual observed foraging in the Basin
Great Egret	<i>Ardea alba</i>	1 individual observed foraging in the Basin

Snowy Egret	<i>Egretta thula</i>	3-4 individuals resting/foraging in Basin
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	2-3, including adults and juveniles, foraging and resting in Basin
Double-crested Cormorant	<i>Phalacrocorax penicillatus</i>	1 individual observed in the central Basin and flying over the Basin
Killdeer	<i>Charadrius vociferous</i>	1 individual observed nesting in mudflats on north shore of Basin. Another adult observed foraging on the south side.
Western Gull	<i>Larus occidentalis</i>	Very common; several flyovers of the Basin
Rock Pigeon	<i>Columba livia</i>	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way
Mourning Dove	<i>Zenaida macroura</i>	Several observed, particularly on power lines in the northern and western portions of the basin
American Crow	<i>Corvus brachyrhynchos</i>	Several observed in vegetation, on utility poles, and flying over Basin
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	Several observed flying over Basin
Northern Mockingbird	<i>Mimus polyglottos</i>	1 individual seen along the east fence
Anna's Hummingbird	<i>Calypte anna</i>	2-3 individuals observed around Basin; largely along the east and north fences
Bushtit	<i>Psaltiriparus minimus</i>	2 individuals observed foraging on north shore of Basin
Black Phoebe	<i>Sayornis nigricans</i>	2-3 individuals foraging around Basin
Song Sparrow	<i>Melospiza melodia</i>	1 individual heard singing in residential area across the bike path
House Finch	<i>Haemorhous mexicanus</i>	Very common; several observed in vegetation in throughout the Basin
House Sparrow	<i>Passer domesticus</i>	Several heard calling from along Washington Boulevard
European Starling	<i>Sturnus vulgaris</i>	Several observed flying over, primarily along Washington Blvd

Conclusions

Biological monitoring was conducted on June 8, 2015, during vegetation removal and old fence removal activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. As the Basin transitions from a closed canopy to an open system, a larger number species that favor open, scrub habitats are being observed. The greatest songbird density is located near the bike path along the eastern fence of the site.
2. The killdeer nest is active, with adults sitting on 3 eggs (a fourth egg has been abandoned off to the side a few feet away). Killdeer are among the most tolerant of birds when it comes to nesting amongst human development. Killdeer have been known to nest in residential backyards, cattle

pastures, and gravel rooftops. Unlike many bird species, it is extremely rare for a killdeer pair to abandon a nest. Killdeer eggs generally hatch 22-28 days after they are laid. Young killdeer hatch with their eyes open, and as soon as their downy feathers dry (generally 2-4 days), they leave the nest area and follow their parents about searching for food. Therefore, the nest buffer will likely remain in place for a maximum of 32 days.

3. In accordance with the Draft Nest Management Plan, buffers have been clearly flagged around the nest within which all work activities are prohibited until the nest is no longer active. A 300-foot buffer has been flagged for the nest. The shoreline provides the south buffer and the perimeter fence the north buffer.
4. Wildlife tend to slowly move away from an area when crews approach to conduct vegetation removal and fence removal activities. They return to the area once the crews move on.
5. Significant algal cover was observed throughout the Basin. When water leaks in from the west tide gate, the algae is moved away from the gate, creating a small area of clear water until the flow ceases and the algae moves back in.
6. Although the California least tern was not observed today, it has been reported previously. CDFW recommends that avoidance is the best practice for avoiding take. As long as no activities result in direct mortality or capture, they can continue. To ensure no mortality or capture occurs, the biologist will temporarily stop work if the tern approaches work areas. In the unlikely event that the tern displays nesting behaviors, the biologist will stop work and CDFW will be contacted immediately.



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From: Jennifer Jones, CDM Smith

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Subject: Final Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project

Introduction

This memorandum summarizes the findings of biological monitoring on June 9, 2015. Monitoring is being conducted on a daily basis through completion of construction activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Jennifer Jones, CDM Smith biologist on June 9, 2015, beginning at 7:15 am and ending at 4:00 p.m. In accordance with the CDFW Streambed Alteration Agreement (Amendment 9, Section 2.32), the weather was checked to determine if rainfall in excess of the threshold (greater than 0.02 inch of rain, with 50% chance of rain or greater probability) was forecast. The forecast showed a 0.01 inch, 20 percent chance of rain predicted for June 9, 2015. As stated in Amendment 9, "...if measurable rain...is predicted, all work activities shall cease and protective measures to prevent erosion/siltation shall be implemented/maintained."

During the monitoring, the biologist observed the installation of straw waddles as part of erosion control best management practices (BMPs) for the project. Some vegetation removal by hand was also conducted in the project area. The biologist also observed the installation of temporary power poles using a drill rig along the north perimeter fence line. A crew of two workers conducted the BMP installation and vegetation removal and a separate crew of two workers installed the temporary power poles throughout the day.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:15 am. The biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey. The Inspector of Record (inspector) was in the parking lot speaking

with the construction contractor superintendent (superintendent). The construction contractor crew of two workers, the same crew as on the previous day, was also present. The biologist spoke with the inspector and superintendent about the construction work and plan for the day.

An occasional light sprinkle of rain was falling. The weather forecast was 20% chance of rain. Therefore, work was able to commence, with the understanding of all present that work would stop if rain became measureable (i.e., greater than 0.02 inches of rain).

8:00 am. The biologist conducted Bio-awareness Training with the contractor crew. The biologist explained that no one should enter the killdeer nest buffer areas, which are clearly flagged at distances of 300 feet. The contractor crew signed the sign-in sheet indicating they understood and will follow BMPs and wildlife protection measures. The crew began installing straw waddles along the southern perimeter fence line, beginning at the southwestern end of the site.

8:20 am. The biologist conducted an initial biological survey of the site. Twelve mallards and two gadwall were observed foraging in the Basin. Three mourning doves were perched on the utility wire above the eastern peninsula. An American crow was foraging along the south shore. One northern rough-winged swallow was foraging over the mudflat in the northwestern corner.

8:30 am. The biologist approached the killdeer nest from the west. An adult killdeer was observed near the nest. Four eggs remained, three in the nest and one abandoned nearby.

8:35 am. On the north side of the Basin, a snowy egret was foraging near the north drain, and a great blue heron was standing in the water nearby. A black phoebe, American crow, and several house finches were foraging in the vegetation on the north side. A house finch and a dark-eyed junco were singing from across the bike path.

8:45 am. A great egret and a snowy egret were foraging along the north shoreline near the beginning of the southeast channel. As the biologist approached the east gate, an adult black-crowned night-heron flew out, landing at the end of the channel within the Basin.

8:50 am. Two mallards and an adult killdeer were foraging along the south shoreline. The killdeer flew off toward the mudflat to join its mate near the nest. A western gull flew in to the Basin from the west and landed on the water. It soon flew off again.

8:55 am. A northern mockingbird and several house sparrows were heard singing from the residential area across Washington Boulevard. Several rock pigeons were perched on the apartment complex across Admiralty Way.

9:15 am. A double-crested cormorant flew in to the Basin and began foraging near the tide gate. Two American crows were calling from the pine near the west tide gate.

9:20 am. Mechanical noise, not project-related, that sounded like a metal saw, was heard coming from the apartment building across Admiralty Way.

9:40 am. The contractor crew completed installing the straw waddles that had been stored at the site (approximately 500 feet) along the southern fence line. A few more waddles have been stored on the north shore near the drain gate. These waddles will be installed in that area of the Basin.

9:50 am. An Allen's hummingbird was foraging in the sea lavender on the south side. Two snowy egrets flew in and landed in the eastern portion of the Basin.

9:55 am. The superintendent began measuring the perimeter of the site to determine the length of straw waddles and silt fence that needed to be ordered. The silt fence will be installed near the water's edge prior to grading or excavation.

10:05 am. The biologist observed that water was moving out of the west tide gates. Algae was observed accumulating at the tide gates.

10:35 am. The great blue heron flew off toward the west. A snowy egret was foraging in the northwest corner of the Basin. The double crested cormorant was still foraging near the tide gate.

10:45 am. A crew of two from Power Plus arrived and parked along the north shore near one of the fence gates.

10:55 am. A crow landed in the pine tree nearest the west tide gate. An Allen's hummingbird was very agitated, flying near and vocalizing at the crow. The crow flew off when the biologist approached the tree.

11:05 am. The biologist met the two crew from Power Plus along the north fence line. They had driven their truck, containing the drill rig, along the fence in preparation for temporary power pole. The biologist conducted Bio-Awareness Training for the crew, explaining the concerns regarding avoidance of wildlife, avoidance of the active killdeer nest and buffer area, and the importance of adhering to BMPs to prevent soil erosion. The biologist discussed dust control measures associated with drilling activities. The crew planned to use a water hose to spray the soil during drilling to prevent fugitive dust. The biologist also told the crew to be careful around the trees along the north fence, to avoid tree root disturbance. The crew signed the sign-in sheet indicating they understood the Bio-Awareness Training and would abide by these measures.

The area along the north fence line is the only place the drill rig can access the site. The power poles near the north drain gate, the pump house, and along the western fence line will need to be installed by hand.

11:10 am. The construction contractor crew of two workers began installing the straw waddles along the north shoreline near the Power Plus crew activities. Two house finches were foraging

along the north side in vegetation by the shoreline. Two mallards were resting on the north drain gate. One northern rough-winged swallow was foraging over the Basin.

11:15 am. The biologist observed the Power Plus crew drilling holes to a depth of 4 feet to install the temporary power poles. One worker sprayed the soil with water as it was brought up from the ground to prevent dust.

11:30 am. The double-crested cormorant was still foraging in the Basin. A snowy egret and a great egret were foraging near the west end.

11:40 am. A peregrine falcon flew over the Basin from the south, flying low over the water. It flushed a killdeer foraging near the eastern peninsula. The falcon also flushed four house finches that were in the palms along Washington Boulevard. The falcon pursued one of the house finches, disappearing from view into a residential backyard across the bike path.

11:50 am. A yellow sulfur butterfly, a cabbage white butterfly, and several bumblebees and wasps were observed foraging in the vegetation along the north shoreline.

12:00 pm. The construction contractor crew took a lunch break.

12:15 pm. The Power Plus crew took a lunch break.

12:25 pm. The biologist observed the killdeer nest while standing on the south shore, looking across the Basin. An adult killdeer was observed sitting on the eggs.

1:00 pm. The two construction contractor workers began cutting a dense bougainvillea plant that was growing along the north perimeter fence and blocking installation of the straw waddles.

1:05 pm. The double-crested cormorant, three mallards, one great egret, and a snowy egret were foraging in the Basin. A European starling was perched on a utility pole on the western peninsula.

1:30 pm. The Power Plus crew resumed installing temporary power poles along the north fence line.

2:05 pm. A supervisor from the construction contractor arrived at the site and walked to the north side where the work was being conducted. The biologist observed a killdeer move off the nest into the mudflat area. The biologist explained to the supervisor that an active killdeer nest was present and buffer zones had been established. The supervisor agreed to walk around the buffer area to avoid disturbance to the killdeer in the future.

2:25 pm. Work continued along the north fence line with one crew worker continuing installation of power poles and the other crew worker removing bougainvillea from the fence.

2:30 pm. A light sprinkle of rain began. The amount was less than measureable so work continued.

2:45 pm. Three mourning doves and two American crows foraged on the south side of the Basin. A great egret foraged near the west tide gate and a northern rough-winged swallow foraged over the mudflat area.

3:05 pm. The Power Plus crew began installing the last power pole of the day. The construction contractor crew continued removing the bougainvillea.

3:20 pm. Seven mallards foraged in the Basin, while two rested on the north drain gate. Several mourning doves foraged on the south shore.

3:25 pm. An adult killdeer was observed sitting on the nest.

3:30 pm. The Power Plus crew stopped work for the day and left the site.

3:35 pm. An adult black-crowned night-heron foraged at the west tide gate. An Allen's hummingbird was heard calling from the adjacent pine tree.

3:45 pm. The construction contractor crew completed work for the day and walked to the parking lot.

4:00 pm. All work had stopped and the biologist left the site.

Based on the weather information from Weather Underground at 7:26 a.m., June 9, 2015, it did not appear that Oxford Basin had a greater than 50% chance of receiving measurable rain (i.e., rainfall in excess of 0.02 inch). Weather conditions were cloudy with an occasional light sprinkle of rain throughout the day. No measureable rain fell during work activities. Temperatures reached a high in the low 80s (°F).

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1.

The California least tern that has been reported previously was not observed during the day's monitoring. **If the tern had approached work activities, all work would be stopped. Consistent with CDFW guidance from Betty Courtney on June 2, 2015 (personal communication via email to CDM Smith), "...everyone just needs to avoid the least tern so there is no direct mortality or capture, as defined by the code."**

The killdeer nest was the only active bird nest observed.

Table 1 provides a list of bird species observed during biological monitoring on June 9, 2015.

Table 1. Bird Species Observed during Biological Monitoring on June 9, 2015		
Common Name	Scientific Name	Comments
Gadwall	<i>Anas strepera</i>	2 individuals resting/foraging throughout Basin
Mallard	<i>Anas platyrhynchos</i>	Several individuals resting/foraging throughout Basin; several flyovers
Great Blue Heron	<i>Ardea herodias</i>	1 individual observed foraging in the Basin
Great Egret	<i>Ardea alba</i>	1 individual observed foraging in the Basin
Snowy Egret	<i>Egretta thula</i>	3-4 individuals resting/foraging in Basin
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	1-2 adults foraging and resting in Basin
Double-crested Cormorant	<i>Phalacrocorax penicillatus</i>	1 individual observed in the central Basin and flying over the Basin
Peregrine Falcon	<i>Falco peregrinus</i>	1 individual flew over Basin and pursued a house finch to residence across bike path.
Killdeer	<i>Charadrius vociferous</i>	2 individuals observed nesting in mudflats on north shore of Basin and foraging along the shoreline
Western Gull	<i>Larus occidentalis</i>	Very common; several flyovers of the Basin. 1 individual briefly landed in the water.
Rock Pigeon	<i>Columba livia</i>	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way
Mourning Dove	<i>Zenaida macroura</i>	Several observed, particularly on power lines in the northern and western portions of the basin
American Crow	<i>Corvus brachyrhynchos</i>	Several observed in vegetation, on utility poles, and flying over Basin
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	Several observed flying over Basin
Northern Mockingbird	<i>Mimus polyglottos</i>	1 individual heard across bike path
Allen's Hummingbird	<i>Selasphorus sasin</i>	2 individuals observed in pine near tide gate
Black Phoebe	<i>Sayornis nigricans</i>	2-3 individuals foraging around Basin
House Finch	<i>Haemorhous mexicanus</i>	Very common; several observed in vegetation in throughout the Basin
House Sparrow	<i>Passer domesticus</i>	Several heard calling from along Washington Boulevard
European Starling	<i>Sturnus vulgaris</i>	1-2 observed perched or flying over, primarily along Washington Blvd

Conclusions

Biological monitoring was conducted on June 9, 2015, during installation of straw waddles, temporary power poles, and vegetation removal activities at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. As the Basin transitions from a closed canopy to an open system, a larger number species that favor open, scrub habitats are

being observed. The greatest songbird density is located near the bike path along the eastern fence of the site.

2. The killdeer nest is active, with adults sitting on 3 eggs (a fourth egg has been abandoned off to the side a few feet away). Killdeer are among the most tolerant of birds when it comes to nesting amongst human development. Killdeer have been known to nest in residential backyards, cattle pastures, and gravel rooftops. Unlike many bird species, it is extremely rare for a killdeer pair to abandon a nest. Killdeer eggs generally hatch 22-28 days after they are laid. Young killdeer hatch with their eyes open, and as soon as their downy feathers dry (generally 2-4 days), they leave the nest area and follow their parents about searching for food. Therefore, the nest buffer will likely remain in place for a maximum of 32 days.
3. The Draft Nest Management Plan was submitted to CDFW by CDM Smith, on behalf of the County on June 9, 2015. In accordance with the Draft Nest Management Plan, buffers have been clearly flagged around the nest within which all work activities are prohibited until the nest is no longer active. A 300-foot nest buffer area has been flagged. The shoreline provides the south buffer and the perimeter fence the north buffer.
4. Wildlife tend to slowly move away from an area when crews approach to conduct vegetation removal and fence removal activities. They return to the area once the crews move on.
5. Significant algal cover was observed throughout the Basin. When water leaked in from the west tide gate, the biologist observed algae moving away from the gate, creating a small area of clear water until the flow ceased and the algae moved back in.
6. Although the California least tern was not observed today, it has been reported previously. CDFW recommends that avoidance is the best practice for avoiding take. As long as no activities result in direct mortality or capture, they can continue. To ensure no mortality or capture occurs, the biologist will temporarily stop work if the tern approaches work areas. In the unlikely event that the tern displays nesting behaviors, the biologist will stop work and CDFW will be contacted immediately.



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Methods

Biological monitoring was conducted by Jennifer Jones, CDM Smith biologist on June 10, 2015, beginning at 7:15 am and ending at 3:30 p.m. In accordance with the CDFW Streambed Alteration Agreement (Amendment 9, Section 2.32), the weather was checked to determine if rainfall in excess of the threshold (greater than 0.02 inch of rain, with 50% chance of rain or greater probability) was forecast. The forecast showed 10 percent chance of rain predicted for June 10, 2015. As stated in Amendment 9, "...if measurable rain...is predicted, all work activities shall cease and protective measures to prevent erosion/siltation shall be implemented/maintained."

An active killdeer nest is present in the mudflat area on the north shore of the Basin. Based on the biologist's observations when approaching the killdeer nest, the killdeer flushes from the nest at a distance of 60 feet to the west and 100 feet to the east. All work activities have thus far been prohibited within the 300-foot buffers, with the exception of removal of chain link fencing approximately 250 feet to the west and out of view from the killdeer nest. During the fence removal, the killdeer was not flushed from the nest. As construction activities progress, the biologist will continue to observe the killdeer for signs of disturbance during different stages of construction activities or noise and enforce appropriate buffer distances that prevent disturbance to the nesting killdeer.

During the daily monitoring on June 10, 2015, the biologist observed the installation of temporary power poles using a hand auger. In addition, the biologist observed hand removal of vegetation, removal of a portion of chain link fence, and installation of BMPs (straw wattles). A crew of two

workers conducted the BMP installation and vegetation removal and a separate crew of two workers installed the temporary power poles throughout the day.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:15 am. The biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey. The construction contractor superintendent (superintendent) arrived and explained that the planned activities for the day included installation of the temporary power poles by Power Plus, and continued pruning of the grapevine growing on the chain link fence along the western side of the Basin. The construction contractor crew of two workers, the same crew as on the previous day, was also present.

7:30 am. The biologist conducted Bio-awareness Training with the contractor crew. The biologist explained that no one should enter the killdeer nest buffer areas, which are clearly flagged, and to adhere to BMPs to prevent soil erosion into the Basin. The contractor crew signed the sign-in sheet indicating they understood and will follow BMPs and wildlife protection measures.

7:45 am. Inspector of Record (inspector) arrived. The contractor crew began pruning the wild grapevine along the western fence.

8:00 am. The biologist conducted an initial biological survey of the site. A juvenile black-crowned night-heron was foraging at the west tide gate. House finches were calling from the palms along Washington Boulevard.

8:10 am. The biologist approached the killdeer nest from the west. An adult killdeer was observed near the nest. Four eggs remained, three in the nest and one abandoned nearby. An Allen's hummingbird was foraging in vegetation on the mudflat near the killdeer nest.

8:15 am. Five house finches were foraging on the eastern peninsula. A great blue heron and two mallard were foraging near the north shore of the Basin. A black phoebe and a Northern mockingbird were foraging on the north side. Ten rock pigeons flew over the Basin toward the apartments on Admiralty Way.

8:20 am. A dark-eyed junco was heard singing from across the bike path.

8:25 am. A street maintenance crew began working on Washington Boulevard, creating some noise that was not project related but rather appeared to be manhole maintenance. They remained in the vicinity for approximately 20 minutes.

8:35 am. Two crows began mobbing a peregrine falcon that was perched on the apartment complex across Admiralty Way. The peregrine falcon flew away from the crows, circled over the Basin once, and then flew off out of sight toward the north.

8:40 am. The biologist observed the killdeer nest across the Basin from the south side and noted that the adult killdeer was sitting on the nest.

8:45 am. A juvenile black-crowned night-heron flew from the west tide gate toward the east side of the Basin. A second juvenile black-crowned night-heron remained at the west tide gate, foraging for fish. The contractor crew continued pruning the wild grapevine along the west fence.

9:05 am. A northern mockingbird and house sparrows were heard singing from across Washington Boulevard. A mourning dove was perched on the wire above the Basin and a European starling was perched on the utility pole. Two northern rough-winged swallows foraged over the Basin near the west end. The contractor crew continued pruning the grapevine on the west fence.

9:10 am. The biologist noted non-project related noise coming from remodeling activities at a house across Washington Boulevard.

9:25 am. A great egret was foraging near the north drain gate. Three American crows flew over the Basin, landed on the south side and began foraging there. Two mallards were foraging near the east end of the Basin. A great blue heron was foraging in the water nearby.

10:00 am. The construction contractor crew continued pruning the grapevine on the west fence. The adult killdeer was sitting on the nest. Two juvenile black-crowned night-herons foraged at the west tide gate, not disturbed by the presence of the workers nearby.

10:20 am. The construction contractor crew had completed pruning the wild grapevine and then began removing the chain link fence on the west side. The exterior fence along the perimeter of the parking lot remained as a barrier to the west side of the site.

10:40 am. The construction contractor crew continued to remove the chain link fence on the west side. A juvenile black-crowned night-heron continued foraging at the west tide gate.

10:45 am. The Power Plus crew of two workers, the same workers present during yesterday's activities, arrived at the site and parked along the outside of the north fence.

10:50 am. The biologist spoke with the Power Plus crew and they indicated they would be installing one temporary power pole using a hand auger along the north side near the north drain gate, and manually moving a second pole that was installed the day before to a slightly different location near the pump house. The biologist conducted Bio-Awareness Training for the Power Plus crew, explaining the concerns regarding avoidance of wildlife, avoidance of the active killdeer nest and buffer area, and the importance of adhering to BMPs to prevent soil erosion. The crew signed the

sign-in sheet indicating they understood the Bio-Awareness Training and would abide by these measures.

11:00 am. Two gadwall, five mallards, one great egret, one snowy egret, and one great blue heron foraged in the Basin near the eastern channel.

11:10 am. A double-crested cormorant flew into the Basin and began foraging. The construction contractor crew continued to remove the chain link fence on the west side. A snowy egret was foraging near the west tide gate.

11:30 am. The Power Plus crew completed their work on the north side of the Basin and drove the truck over to the west parking lot. They began using a hand auger to install a temporary power pole in the southwest corner of the site. The construction contractor crew continued removing chain link fence from the west side. A great egret flew in to join a snowy egret foraging near the west tide gate.

12:00 pm. The construction contractor crew took a lunch break.

12:40 pm. The Power Plus crew took a lunch break. They have installed two power poles near the southwest corner of the site.

12:45 pm. The construction contractor crew resumed removing the chain link fence along the west side. A snowy egret foraged at the west tide gate. Five American crows flew over the Basin. A great egret, five mallards, two gadwall, and one double-crested cormorant were foraging near the middle of the Basin.

1:15 pm. The biologist noted non-project related noise continuing from the remodeling at a house across Washington Boulevard. A northern rough-winged swallow foraged over the Basin.

1:50 pm. The Power Plus took four power poles from their truck and laid them on the ground along the west side of the site where they are to be installed. Then the Power Plus crew left the site.

2:05 pm. The construction contractor crew continued removing chain link fence from the west side. Four house finches foraged in vegetation nearby.

2:15 pm. One monarch butterfly and one cabbage white butterfly were observed in the northwest corner, foraging on sea lavender.

2:20 pm. An adult killdeer was observed sitting on the nest.

2:25 pm. The construction contractor crew completed removing chain link fence from the west side and walked over along the south shore and around to the north side to complete installation of straw waddles that had been stored there. The waddles were installed along the inside of the north perimeter chain link fence.

Five mallards were resting on the north tide gate, while 12 other mallards foraged in the Basin near the east channel. One snowy egret also foraged nearby. Two mourning doves foraged on the south side. A great blue heron rested near the end of the eastern peninsula.

3:15 pm. The construction contractor crew completed installing the straw waddles and walked to the parking lot.

3:30 pm. All work had stopped and the biologist left the site.

Weather conditions during the day were mostly cloudy with temperatures in the high 60s (°F).

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1.

One monarch butterfly was observed.

The California least tern that has been reported previously was not observed during the day's monitoring. **If the tern had approached work activities, all work would be stopped. Consistent with CDFW guidance from Betty Courtney on June 2, 2015 (personal communication via email to CDM Smith), "...everyone just needs to avoid the least tern so there is no direct mortality or capture, as defined by the code."**

The killdeer nest was the only active bird nest observed.

Table 1 provides a list of bird species observed during biological monitoring on June 10, 2015.

Table 1. Bird Species Observed during Biological Monitoring on June 10, 2015		
Common Name	Scientific Name	Comments
Gadwall	<i>Anas strepera</i>	2 individuals resting/foraging throughout Basin
Mallard	<i>Anas platyrhynchos</i>	Several individuals resting/foraging throughout Basin; several flyovers
Great Blue Heron	<i>Ardea herodias</i>	1 individual observed foraging in the Basin
Great Egret	<i>Ardea alba</i>	1 individual observed foraging in the Basin
Snowy Egret	<i>Egretta thula</i>	3-4 individuals resting/foraging in Basin
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	2 juveniles foraged in Basin
Double-crested Cormorant	<i>Phalacrocorax penicillatus</i>	1 individual observed in the central Basin and flying over the Basin
Peregrine Falcon	<i>Falco peregrinus</i>	1 individual flew over Basin from the apartment building across Admiralty Way
Killdeer	<i>Charadrius vociferous</i>	2 individuals observed nesting in mudflats on north shore of Basin and foraging along the shoreline
Western Gull	<i>Larus occidentalis</i>	Very common; several flyovers of the Basin.

Rock Pigeon	<i>Columba livia</i>	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way
Mourning Dove	<i>Zenaida macroura</i>	Several observed, particularly on power lines in the northern and western portions of the basin
American Crow	<i>Corvus brachyrhynchos</i>	Several observed in vegetation, on utility poles, and flying over Basin
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	Several observed flying over Basin
Northern Mockingbird	<i>Mimus polyglottos</i>	1 individual observed on north side and heard across bike path
Allen's Hummingbird	<i>Selasphorus sasin</i>	1 individual observed foraging in vegetation
Black Phoebe	<i>Sayornis nigricans</i>	1 individual foraging around Basin
House Finch	<i>Haemorhous mexicanus</i>	Very common; several observed in vegetation in throughout the Basin
House Sparrow	<i>Passer domesticus</i>	Several heard calling from along Washington Boulevard
European Starling	<i>Sturnus vulgaris</i>	1-2 observed perched or flying over, primarily along Washington Blvd

Conclusions

Biological monitoring was conducted on June 10, 2015, during installation of temporary power poles using a hand auger, hand removal of vegetation, removal of a portion of chain link fence, and installation of BMPs (straw waddles) at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. As the Basin transitions from a closed canopy to an open system, a larger number species that favor open, scrub habitats are being observed. The greatest songbird density is located near the bike path along the eastern fence of the site.
2. The killdeer nest is active, with adults sitting on 3 eggs (a fourth egg has been abandoned off to the side a few feet away). Killdeer are among the most tolerant of birds when it comes to nesting amongst human development. Killdeer have been known to nest in residential backyards, cattle pastures, and gravel rooftops. Unlike many bird species, it is extremely rare for a killdeer pair to abandon a nest. Killdeer eggs generally hatch 22-28 days after they are laid. Young killdeer hatch with their eyes open, and as soon as their downy feathers dry (generally 2-4 days), they leave the nest area and follow their parents about searching for food. Therefore, the nest buffer will likely remain in place for a maximum of 32 days.
3. The Draft Nest Management Plan was submitted to CDFW by CDM Smith, on behalf of the County on June 9, 2015. In accordance with the Draft Nest Management Plan, buffers have been clearly flagged around the killdeer nest within which all work activities are prohibited until the nest is no longer active. As construction activities progress, the biologist will continue to observe the

killdeer for signs of disturbance during different stages of construction activities or noise and enforce appropriate buffer distances that prevent disturbance to the nesting killdeer.

4. One monarch butterfly was observed foraging in vegetation on the northwest side. The monarch was not disturbed by the work activities.
5. Wildlife tend to slowly move away from an area when crews approach to conduct work activities. They return to the area once the crews move on.
6. Significant algal cover was observed throughout the Basin. When water leaked in from the west tide gate, the biologist observed algae moving away from the gate, creating a small area of clear water until the flow ceased and the algae moved back in.
7. Although the California least tern was not observed today, it has been reported previously. CDFW recommends that avoidance is the best practice for avoiding take. As long as no activities result in direct mortality or capture, they can continue. To ensure no mortality or capture occurs, the biologist will temporarily stop work if the tern approaches work areas. In the unlikely event that the tern displays nesting behaviors, the biologist will stop work and CDFW will be contacted immediately.



Memorandum

To: Rick Sun, Los Angeles County Department of Public Works

From: Jennifer Jones, CDM Smith

Date: June 11, 2015

Subject: Final Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project

Introduction

This memorandum summarizes the findings of biological monitoring on June 11, 2015. Monitoring is being conducted on a daily basis through completion of construction activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Jennifer Jones, CDM Smith biologist on June 11, 2015, beginning at 7:15 am and ending at 4:00 p.m. In accordance with the CDFW Streambed Alteration Agreement (Amendment 9, Section 2.32), the weather was checked to determine if rainfall in excess of the threshold (greater than 0.02 inch of rain, with 50% chance of rain or greater probability) was forecast. The forecast showed 0 percent chance of rain predicted for June 11, 2015. As stated in Amendment 9, "...if measurable rain...is predicted, all work activities shall cease and protective measures to prevent erosion/siltation shall be implemented/maintained."

An active killdeer nest is present in the mudflat area on the north shore of the Basin. 300-foot buffers clearly marked with tape are in place around the nest. All work activities have thus far been prohibited within the 300-foot buffers, with the exception of removal of chain link fencing approximately 250 feet to the west and out of view from the killdeer nest. During the fence removal, the killdeer was not flushed from the nest.

During the daily monitoring on June 11, 2015, the biologist observed the installation of BMPs (straw waddles), hand removal of vegetation, and installation of temporary power poles using a hand auger. A crew of two workers conducted the BMP installation and vegetation removal and a separate crew of two workers installed the temporary power poles throughout the day.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:15 am. The biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey.

7:40 am. The construction contractor superintendent (superintendent) arrived and explained that the planned activities for the day included installation of the temporary power poles by Power Plus, hand removal of vegetation including sea lavender, and installation of straw waddles. The construction contractor crew of two workers, the same crew as on the previous day, was also present.

7:45 am. The biologist conducted Bio-awareness Training with the contractor crew. The biologist explained that no one should enter the killdeer nest buffer areas, which are clearly flagged, and to adhere to BMPs to prevent soil erosion into the Basin. The contractor crew signed the sign-in sheet indicating they understood and will follow BMPs and wildlife protection measures.

8:00 am. The biologist approached the killdeer nest from the west. Two adult killdeer were observed near the nest. One nestling was observed along with one egg in the nest. One adult quickly resumed position on the nest, obscuring the young from view. The other adult remained nearby.

8:10 am. The construction crew began using shovels to dig out plants, primarily sea lavender, along the western perimeter of the Basin. No pickleweed was removed.

8:15 am. The biologist conducted an initial biological survey of the site. A snowy egret and a great blue heron were foraging at the west tide gate. An adult black-crowned night-heron was foraging at the north tide gate. A pair of mallards were foraging near the north shore of the Basin. A black phoebe was foraging on the north side. Bushtits were calling from the pepper trees across the bike path. House sparrows were heard calling from across the bike path. Two mourning doves were foraging on the south side of the eastern channel. Two gadwalls and two mallards were foraging near the east side of the Basin. Several house finches were singing from the palm trees on Washington Boulevard.

8:30 am. Both killdeer adults stayed close to the nest. The one not sitting on the nest was frequently calling from the mudflat as it foraged.

9:00 am. The great blue heron flew from the west tide gate to the end of the eastern peninsula. A great egret landed in the top of the pine tree next to the west tide gate and then moved down to the water's edge. A European starling flew over the Basin to the west. Several rock pigeons flew over and landed on the apartment building across Admiralty Way. The construction contractor crew continued removing vegetation using shovels in the southwestern corner of the site.

9:15 am. The straw waddles arrived at the site. The construction contractor crew began unloading them from the truck in the west parking lot.

9:20 am. An American crow flew over the mudflat near the killdeer nest. One adult killdeer was sitting on the nest while the other called nearby. The crow flew away toward the west. A northern rough-winged swallow was foraging over the Basin. A snowy egret flew over and landed on the west tide gate.

9:30 am. The Power Plus crew of two workers, the same workers present during yesterday's activities, arrived at the site.

9:45 am. The biologist spoke with the Power Plus crew and they indicated they would be installing temporary power poles using a hand auger along the west side of the site. The biologist conducted Bio-Awareness Training for the Power Plus crew, explaining the concerns regarding avoidance of wildlife, avoidance of the active killdeer nest and buffer area, and the importance of adhering to BMPs to prevent soil erosion. The crew signed the sign-in sheet indicating they understood the Bio-Awareness Training and would abide by these measures.

9:50 am. The construction contractor crew walked to the east side of the site where the truck carrying the straw waddles had moved. The truck entered the site through the fence at the pump house and the crew began unloading the remaining straw waddles there.

10:00 am. An adult killdeer was sitting on the nest. Nine mallards and two gadwall were foraging in the basin, while another three mallards rested on the north drain gate. Two crows foraged on the north side of the channel near the east side. Two yellow-chevroned parakeets were heard calling as they flew by to the north of the Basin. A song sparrow and a dark-eyed junco were singing from across the bike path.

10:30 am. The construction contractor crew completed unloading the straw waddles near the pump house and began installing them along the north fenceline. A black phoebe was foraging on the north side, along with three mourning doves and two crows. Bushtits were calling from across the bike path. A great blue heron continued to stand near the end of the eastern peninsula.

10:45 am. The Power Plus crew continued to install power poles along the western end. The construction contractor crew completed installation of straw waddles along the north side, from the north drain gate to the east gate. One of the construction contractor crew drove the tractor from the west parking lot to the pump house to pick up several straw waddles and transport them inside the east gate.

10:50 am. Four individuals from the County arrived at the west parking lot and began speaking to the Inspector of Record and the superintendent. They left the site approximately 15 minutes later.

10:55 am. Three bushtits flew over the north fence and began foraging in the vegetation along the north side. A double-crested cormorant flew into the Basin and began foraging. Several mallards also continued foraging in the Basin. Several house finches were singing across the bike path.

11:30 am. Work activities continued, with the Power Plus crew installing power poles on the west side and the construction contractor crew installing straw waddles on the southeast side. Three mourning doves were foraging on the north side near the east channel.

11:40 am. A California least tern flew over the Basin but did not land or forage in the water. It flew off toward the southwest.

11:45 am. An adult killdeer foraged along the south shoreline. A snowy egret foraged in the mudflat in the northwest corner of the site.

11:50 am. The biologist approached the killdeer nest from the west and observed two nestlings and one egg on the nest.

12:00 pm. Both the construction contractor crew and the Power Plus crew took a lunch break.

12:30 pm. The construction contractor crew resumed installation of straw waddles along the fenceline on the north side. An adult killdeer was sitting on the nest. Four mourning doves foraged on the south side. A gadwall and seven mallards foraged in the Basin. Three mallards continued resting on the north tide gate. The great blue heron remained at the end of the peninsula nearby. The double crested cormorant continued to forage in the Basin.

12:48 pm. A monarch butterfly was observed foraging on vegetation along the southern side of the eastern channel. A white cabbage butterfly was on the north shore nearby.

1:00 pm. The biologist walked to the west parking lot to attend the construction meeting. Another monarch was observed in the parking lot.

2:20 pm. The biologist observed two nestlings and two adults at the killdeer nest. One egg remained in the nest. The young killdeer walked a short distance from the nest with the adults nearby, calling.

2:30 pm. The biologist walked to the south side of the site to observe the killdeer nest across the Basin. An adult was observed sitting on the nest, with the egg and two young apparently underneath. The other adult was nearby.

2:35 pm. The construction contractor crew continued to install straw waddles along the south side perimeter fence. The biologist noted that the Power Plus crew had left the site. They had laid out the electrical wire on the ground along the path of the power poles to finish hanging it tomorrow.

2:50 pm. Three mallards rested on the north gate. Four mourning doves foraged on the north shore. Three crows foraged on the south side. A northern mockingbird was heard singing across the bike path. House finches were singing from the palm trees along Washington Boulevard.

3:10 pm. The construction contractor crew used the tractor to transport more straw waddles to the south side via the east gate. Then they resumed installing the straw waddles along the south fence.

3:35 pm. The biologist noted non-project related mechanical noise coming from the apartments across Admiralty Way. A great blue heron and a snowy egret foraged at the west tide gate. Another snowy egret foraged in the northwest corner. One crow was calling from the pine tree next to the west tide gate. Another crow foraged in the northwest corner of the site.

3:45 pm. The construction contractor crew stopped work for the day and walked to the parking lot.

4:00 pm. All work had stopped and the biologist left the site.

Weather conditions during the day were foggy in the morning with a light mist that did not result in measurable rainfall. It became mostly sunny in the afternoon with temperatures in the low 70s (°F).

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1.

Two monarch butterflies were observed.

The California least tern was observed briefly flying over the Basin. **If the tern had approached work activities, all work would be stopped. Consistent with CDFW guidance from Betty Courtney on June 2, 2015 (personal communication via email to CDM Smith), "...everyone just needs to avoid the least tern so there is no direct mortality or capture, as defined by the code."**

The killdeer nest was the only active bird nest observed.

Table 1 provides a list of bird species observed during biological monitoring on June 11, 2015.

Table 1. Bird Species Observed during Biological Monitoring on June 11, 2015		
Common Name	Scientific Name	Comments
Gadwall	<i>Anas strepera</i>	2 individuals resting/foraging throughout Basin
Mallard	<i>Anas platyrhynchos</i>	Several individuals resting/foraging throughout Basin; several flyovers
Great Blue Heron	<i>Ardea herodias</i>	1 individual observed foraging in the Basin
Great Egret	<i>Ardea alba</i>	1 individual observed foraging in the Basin
Snowy Egret	<i>Egretta thula</i>	3-4 individuals resting/foraging in Basin
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	1 adult foraged in Basin
Double-crested Cormorant	<i>Phalacrocorax penicillatus</i>	1 individual observed in the central Basin and flying over the Basin
Killdeer	<i>Charadrius vociferous</i>	2 adults observed nesting in mudflats on north shore of Basin and foraging along the shoreline. Two nestlings are now present.
Western Gull	<i>Larus occidentalis</i>	Very common; several flyovers of the Basin.

California Least Tern	<i>Sterna antillarum browni</i>	1 individual flew over Basin
Rock Pigeon	<i>Columba livia</i>	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way
Mourning Dove	<i>Zenaida macroura</i>	Several observed, particularly on power lines in the northern and western portions of the basin
American Crow	<i>Corvus brachyrhynchos</i>	Several observed in vegetation, on utility poles, and flying over Basin
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	Several observed flying over Basin
Northern Mockingbird	<i>Mimus polyglottos</i>	1 individual observed on north side and heard across bike path
Black Phoebe	<i>Sayornis nigricans</i>	1 individual foraging around Basin
House Finch	<i>Haemorhous mexicanus</i>	Very common; several observed in vegetation in throughout the Basin
House Sparrow	<i>Passer domesticus</i>	Several heard calling from along Washington Boulevard
European Starling	<i>Sturnus vulgaris</i>	1-2 observed perched or flying over, primarily along Washington Blvd
Yellow-chevroned parakeet	<i>Brotogeris chiriri</i>	2 flying and calling to the north of the Basin

Conclusions

Biological monitoring was conducted on June 11, 2015, during installation of temporary power poles using a hand auger, hand removal of vegetation, and installation of BMPs (straw waddles) at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. As the Basin transitions from a closed canopy to an open system, a larger number species that favor open, scrub habitats are being observed. The greatest songbird density is located near the bike path along the eastern fence of the site.
2. The killdeer nest is active, with two adults tending to two recently hatched nestlings and one egg (a fourth egg has been abandoned off to the side a few feet away). Killdeer are among the most tolerant of birds when it comes to nesting amongst human development. Killdeer have been known to nest in residential backyards, cattle pastures, and gravel rooftops. Unlike many bird species, it is extremely rare for a killdeer pair to abandon a nest. Killdeer eggs generally hatch 22-28 days after they are laid. Young killdeer hatch with their eyes open, and as soon as their downy feathers dry (generally 2-4 days), they leave the nest area and follow their parents about searching for food. Therefore, the nest buffer will likely remain in place for a maximum of 32 days.
3. The Draft Nest Management Plan was submitted to CDFW by CDM Smith, on behalf of the County on June 9, 2015. In accordance with the Draft Nest Management Plan, buffers have been clearly flagged around the killdeer nest within which all work activities are prohibited until the nest is

no longer active. As construction activities progress, the biologist will continue to observe the killdeer for signs of disturbance during different stages of construction activities or noise and enforce appropriate buffer distances that prevent disturbance to the nesting killdeer.

4. Two monarch butterflies were observed foraging in vegetation on the northwest side. The monarch was not disturbed by the work activities.
5. Wildlife tend to slowly move away from an area when crews approach to conduct work activities. They return to the area once the crews move on.
6. Significant algal cover was observed throughout the Basin. When water leaked in from the west tide gate, the biologist observed algae moving away from the gate, creating a small area of clear water until the flow ceased and the algae moved back in.
7. The California least tern was observed briefly flying over the Basin today. CDFW recommends that avoidance is the best practice for avoiding take. As long as no activities result in direct mortality or capture, they can continue. To ensure no mortality or capture occurs, the biologist will temporarily stop work if the tern approaches work areas. In the unlikely event that the tern displays nesting behaviors, the biologist will stop work and CDFW will be contacted immediately.



Memorandum

To: Rick Sun, Los Angeles County Department of Public Works

From: Jennifer Jones, CDM Smith

Date: June 12, 2015

Subject: Final Daily Biological Monitoring for the Oxford Retention Basin Multiuse Enhancement Project

Introduction

This memorandum summarizes the findings of biological monitoring on June 12, 2015. Monitoring is being conducted on a daily basis through completion of construction activities for the Oxford Retention Basin Multiuse Enhancement project. This monitoring is being conducted in compliance with the Streambed Alteration Agreement and Amendment issued by the California Department of Fish and Wildlife for the project.

Methods

Biological monitoring was conducted by Jennifer Jones, CDM Smith biologist on June 12, 2015, beginning at 7:15 am and ending at 3:30 p.m. In accordance with the CDFW Streambed Alteration Agreement (Amendment 9, Section 2.32), the weather was checked to determine if rainfall in excess of the threshold (greater than 0.02 inch of rain, with 50% chance of rain or greater probability) was forecast. The forecast showed 0 percent chance of rain predicted for June 12, 2015. As stated in Amendment 9, "...if measurable rain...is predicted, all work activities shall cease and protective measures to prevent erosion/siltation shall be implemented/maintained."

An active killdeer nest is present in the mudflat area on the north shore of the Basin. 300-foot buffers clearly marked with tape are in place around the nest. All work activities have thus far been prohibited within the 300-foot buffers, with the exception of removal of chain link fencing approximately 250 feet to the west and out of view from the killdeer nest. During the fence removal, the killdeer was not flushed from the nest.

During the daily monitoring on June 12, 2015, the biologist observed the installation of BMPs (straw wattles and silt fence). A crew of two workers conducted the BMP installation.

The following sections provide the biologist's field log notes, with observations of the day's activities and wildlife presence and behavior.

Biologist's Field Log

7:15 am. The biologist arrived at Oxford Basin (site) and prepared and organized field equipment for initial biological survey.

7:30 am. The biologist checked the killdeer nest, approaching from the west. Two adult killdeer were present near the nest, along with three young killdeer visible in the nest.

7:45 am. The construction contractor superintendent (superintendent) arrived with a crew of two workers, the same crew as on the previous day. The superintendent explained that the planned activities for the day included installation of straw waddles and silt fencing. The Power Plus crew were working at a different site today.

7:50 am. The biologist conducted Bio-awareness Training with the contractor crew. The biologist explained that no one should enter the killdeer nest buffer areas, which are clearly flagged, and to adhere to BMPs to prevent soil erosion into the Basin. The contractor crew signed the sign-in sheet indicating they understood and will follow BMPs and wildlife protection measures.

8:10 am. The biologist conducted an initial biological survey of the site. House sparrows and European starlings were calling from Admiralty Way. Three mallards were foraging in the Basin. An adult killdeer was foraging along the south shoreline, then flew to the mudflat area. The other adult killdeer was sitting on the nest. A black phoebe and a Northern mockingbird were foraging on the north side. Three house finches and two American crows flew over from south to north. Three mallards were foraging at the north drain, while two more rested nearby. A snowy egret was perched at the west tide gate. A dark-eyed junco was singing from across the bike path. Three mourning doves were foraging on the south side.

8:30 am. An adult black-crowned night-heron flew out of the east drain and away from the Basin toward the southwest.

8:35 am. The construction contractor crew walked to the east side of the site and began cutting an old chain link fence there. Two crows and two mourning doves foraged nearby and were not disturbed by the work activity.

8:30 am. An Allen's hummingbird was calling from the trees across the bike path. A juvenile black-crowned night-heron perched on the north drain and two house finches perched on the fence on the north side. Two mallards flew off toward the north.

9:00 am. The construction contractor superintendent drove the truck to the east gate with two straw waddles. Workers began laying out the straw waddles there. More stakes are needed to install them.

9:15 am. The construction contractor crew completed laying out the straw waddles at the east end and drove in the truck back to the west parking lot.

9:20 am. The construction contractor crew began carrying the silt fence down to the water's edge in the southwest corner. A snowy egret was foraging in the northwest corner of the site. It flew off toward the east end of the Basin and began foraging there. Three northern rough-winged swallows foraged over the Basin.

9:35 am. A juvenile black-crowned night-heron flew into the Basin, landing in a pine tree near the west tide gate.

9:55 am. The construction contractor crew briefly stopped work and were talking with the superintendent. Two mallards flew into the Basin from the west and landed in the water. A snowy egret was foraging at the west tide gate.

10:05 am. The construction contractor crew began installing silt fence, starting at the west tide gate and moving north along the west end of the site. One worker used a pick axe to dig a shallow trench for the silt fence to sit down in. The silt fence was being installed above the pickleweed, approximately 5 feet above mean tide level.

10:10 am. The juvenile black-crowned night-heron flew out of the pine tree at the west tide gate and toward the east end of the Basin. The snowy egret continued foraging at the west tide gate. Eight rock pigeons flew over the site from north to south. A starling was perched on the utility pole on the western peninsula.

10:30 am. A double-crested cormorant flew in and began foraging near the middle of the Basin.

10:45 am. The construction contractor crew received a delivery of wooden stakes for the straw waddles. They continued installing the site fence along the southwest perimeter of the Basin. The snowy egret continued foraging nearby.

10:55 am. The biologist observed the killdeer nest from the west and noted that the 3rd nestling was with one of the adults near the nest. The other two nestlings were walking on the mudflat nearby with the other adult killdeer.

11:05 am. The biologist observed the killdeer nest from the south, across the Basin. One adult was sitting on the nest, presumably with all three nestlings sitting underneath, as none were observed on the mudflat. A mourning dove was perched on the wire above.

Mechanical noise, not project-related, was heard from the apartments across Admiralty Way.

11:25 am. The construction contractor crew completed installation of the silt fence along the southwest side of the Basin and began carrying stakes along the south side to complete installation of the straw waddles near the east end.

11:40 am. The double-crested cormorant was sitting on the north drain gate, drying its feathers. A pair of mallards were resting on the mudflat, while three other mallard foraged in the Basin. An American crow flew over the site. A black phoebe foraged on the north shore. House finches were singing from the palm trees across Washington Boulevard.

11:50 am. The biologist observed the mudflat from the south, across the Basin. Two adults and two nestling killdeer were foraging on the mudflat. After a few minutes, one adult moved back to the nest, with the nestlings following. It was noted that the killdeer were still showing fidelity to the nest and that the nest still needed to be protected from disturbance.

12:00 pm. The construction contractor crew took a lunch break.

12:45 pm. The construction contractor crew resumed installing straw waddles at the east end of the site. A snowy egret foraged in the northwest corner. A cabbage white butterfly foraged in the vegetation on the south shore. Two northern rough-winged swallows foraged over the Basin. A juvenile black-crowned night-heron foraged at the west tide gate. A mallard flew from the Basin heading west.

1:00 pm. Mechanical noise, not project-related, continued from the apartments across Admiralty Way. Noise was also noted coming from the remodeling of a house across Washington Boulevard.

1:15 pm. All three killdeer nestlings were venturing out, foraging with the adults into the middle of the mudflat. The parents continually called to them. A double-crested cormorant was standing at the end of the eastern peninsula.

1:20 pm. The construction contractor crew completed installation of the straw waddles at the east end.

1:45 pm. The construction contractor crew began using a tractor to remove the posts from the chain link fence along the west side of the site. The biologist observed the killdeer nest from the south shore, across the Basin. The adults and young killdeer continued foraging on the mudflat.

2:15 pm. An Allen's hummingbird called from the pine tree next to the west tide gate. A snowy egret was perched at the west tide gate, not disturbed by the crew using the tractor on the west shore nearby. Two crows were foraging on the south side of the Basin. Two mallards foraged in the Basin. House finches sang from the palms on Washington Boulevard. Mechanical noise, not project-related, continued from the apartments across Admiralty Way.

2:45 pm. The construction contractor crew continued using a tractor to remove the posts from the chain link fence along the west side of the site. All three killdeer nestlings and both adults continued foraging on the mudflat. A mallard flew out of the Basin toward the southwest.

3:00 pm. The construction contractor crew continued using a tractor to remove the posts from the chain link fence along the west side of the site. A snowy egret and a juvenile black-crowned night-heron foraged at the west tide gate nearby, not disturbed.

3:30 pm. The construction contractor crew stopped work for the day and the biologist left the site.

Weather conditions during the day were foggy in the morning, becoming mostly sunny in the afternoon with temperatures in the low 70s (°F).

Additional Observations

Throughout the day, the biologist observed several birds, as listed in Table 1.

No monarch butterflies were observed.

The California least tern that has been reported previously was not observed during the day's monitoring. **If the tern had approached work activities, all work would be stopped. Consistent with CDFW guidance from Betty Courtney on June 2, 2015 (personal communication via email to CDM Smith), "...everyone just needs to avoid the least tern so there is no direct mortality or capture, as defined by the code."**

The killdeer nest was the only active bird nest observed.

Table 1 provides a list of bird species observed during biological monitoring on June 12, 2015.

Table 1. Bird Species Observed during Biological Monitoring on June 12, 2015		
Common Name	Scientific Name	Comments
Mallard	<i>Anas platyrhynchos</i>	Several individuals resting/foraging throughout Basin; several flyovers
Snowy Egret	<i>Egretta thula</i>	3-4 individuals resting/foraging in Basin
Black-crowned Night Heron	<i>Nycticorax nycticorax</i>	Adults and juveniles foraged in Basin
Double-crested Cormorant	<i>Phalacrocorax penicillatus</i>	1 individual observed in the central Basin and flying over the Basin
Killdeer	<i>Charadrius vociferous</i>	2 adults observed nesting in mudflats on north shore of Basin and foraging along the shoreline. Three nestlings are now present.
Western Gull	<i>Larus occidentalis</i>	Very common; several flyovers of the Basin.
Rock Pigeon	<i>Columba livia</i>	Several observed flying over Basin, particularly in western portion and around high-rises south of Admiralty Way

Mourning Dove	<i>Zenaida macroura</i>	Several observed, particularly on power lines in the northern and western portions of the basin
American Crow	<i>Corvus brachyrhynchos</i>	Several observed in vegetation, on utility poles, and flying over Basin
Northern Rough-winged Swallow	<i>Stelgidopteryx serripennis</i>	Several observed flying over Basin
Northern Mockingbird	<i>Mimus polyglottos</i>	1 individual observed on north side and heard across bike path
Black Phoebe	<i>Sayornis nigricans</i>	1 individual foraging around Basin
House Finch	<i>Haemorhous mexicanus</i>	Very common; several observed in vegetation in throughout the Basin
House Sparrow	<i>Passer domesticus</i>	Several heard calling from along Washington Boulevard
European Starling	<i>Sturnus vulgaris</i>	1-2 observed perched or flying over, primarily along Washington Blvd

Conclusions

Biological monitoring was conducted on June 12, 2015, during installation of BMPs (straw waddles and silt fence) at the site. Based on observations made during monitoring, the following conclusions were made:

1. Several bird species are present, foraging around the Basin. As the Basin transitions from a closed canopy to an open system, a larger number species that favor open, scrub habitats are being observed. The greatest songbird density is located near the bike path along the eastern fence of the site.
2. The killdeer nest is active, with two adults tending to three recently hatched nestlings. Killdeer are among the most tolerant of birds when it comes to nesting amongst human development. Killdeer have been known to nest in residential backyards, cattle pastures, and gravel rooftops. Unlike many bird species, it is extremely rare for a killdeer pair to abandon a nest. Killdeer eggs generally hatch 22-28 days after they are laid. Young killdeer hatch with their eyes open, and as soon as their downy feathers dry (generally 2-4 days), they leave the nest area and follow their parents about searching for food. Therefore, the nest buffer will likely remain in place for a maximum of 32 days.
3. The Draft Nest Management Plan was submitted to CDFW by CDM Smith, on behalf of the County on June 9, 2015. In accordance with the Draft Nest Management Plan, buffers have been clearly flagged around the killdeer nest within which all work activities are prohibited until the nest is no longer active. As construction activities progress, the biologist will continue to observe the killdeer for signs of disturbance during different stages of construction activities or noise and enforce appropriate buffer distances that prevent disturbance to the nesting killdeer.
4. Wildlife tend to slowly move away from an area when crews approach to conduct work activities. They return to the area once the crews move on.

5. Significant algal cover was observed throughout the Basin. When water leaked in from the west tide gate, the biologist observed algae moving away from the gate, creating a small area of clear water until the flow ceased and the algae moved back in.
6. Although the California least tern was not observed in the Basin today, it has been reported previously. CDFW recommends that avoidance is the best practice for avoiding take. As long as no activities result in direct mortality or capture, they can continue. To ensure no mortality or capture occurs, the biologist will temporarily stop work if the tern approaches work areas. In the unlikely event that the tern displays nesting behaviors, the biologist will stop work and CDFW will be contacted immediately.